IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION No.16427 OF 2004

Between:

1 G.Babu Rao, S/o. Devasikhamani
Jaladanki Post and Mandal, Nellore District.

2 Nagaraju, S/o. Pitchaiah
Bogolu Mandal, Nellore District.

..... PETITIONERS

AND

1 The Commissioner and Director of School Education

Andhra Pradesh, Saifabad, Hyderabad.

2 The State Project Director District Primary Education Programme,
Government of A.P.Saifabad, Hyderabad.

3 The District Collector/Ex-Officio Chairman District Primary

Education Programme, Nellore District.

4 The Project Co-ordinator/District Educational Officer,

Nellore District.

5 The Additional Project Coordinator District Primary Education

Programme, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or order or direction more in the nature of writ of certiorari, declaring action of the 3rd respondent in directing the petitioners to appear for Aptitude Test again for the purpose of selection to the post of Mandal Resource Person though the petitioners have already passed the test including the oral test and selected as Mandal Resource Persons in the year 1997 is arbitrary, unreasonable and violative of Articles 14 and 16 of Constitution of India and accordingly set aside the impugned notification issued by the third respondent dated 19.08.2003 including the orders of the A.P.A.T dated 19.08.2004 and 10-09-2004 made in O.A.No.5981 of 2003 as well as Rev.M.ANo.2814 of 2004 and consequently direct the respondents to proceed with the selection of Mandal Resource Person only in the vacant post as per the guidelines issued by the 2nd respondent in Rc.No.5931/DPEP/B7/2002 dated 05.08.2003 by continuing the petitioners as Mandal Resource Person who have already passed the test and selected and continuing in their respective places without subjecting them to fresh process of selection and pass.

Counsel for the Petitioners : MR.G.VIDYASAGAR

Counsel for the Respondents : GP FOR SERVICES-I

The Court made the following :

O R D E R

(Per Sri Justice J.Chelameswar)

When matter is taken up, learned counsel for the petitioners

Sri G.Vidya Sagar represented that in view of G.O.Rt.No.360, Education (CSS-R&E) Department, dated 21.06.2005, more particularly Clause-8 extracted hereunder, the petitioners do not have any subsisting cause of action:

> 8. Relief:
>
> The present MRPs working shall be relieved as and when the new MRPs are posted.

In the circumstances, the writ petition is disposed of. There shall be no order as to costs.

J.CHELAMESWAR,J

M.VENKATESWARA REDDY,J

6th JULY, 2005

PGS

To

1 The Commissioner and Director of School Education

Andhra Pradesh, Saifabad, Hyderabad.

2 The State Project Director District Primary Education Programme,
Government of A.P.Saifabad, Hyderabad.

3 The District Collector/Ex.Officio Chairman District Primary

Education Pgramme, Nellore Nellore District.

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THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION No.16427 OF 2004

(Per Sri Justice J.Chelameswar)

6th JULY, 2005